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Entered on Docket  
4  
August 13, 2009

*Bruce A. Markell*

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Hon. Bruce A. Markell  
10 United States Bankruptcy Judge

11 **WILDE & ASSOCIATES**

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26 America's Servicing Company  
09-71726

27 **UNITED STATES BANKRUPTCY COURT**  
28 **DISTRICT OF NEVADA**

29 In Re:

30 Joseph H. Ballard and Cheryl Ballard

31 Debtor(s).

32 BK-09-12690-bam

33 Date: 8/4/09  
34 Time: 1:30pm

35 Chapter 13

## **ORDER VACATING AUTOMATIC STAY**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor America's Servicing Company, its assignees and/or successors in interest, of the subject property, generally described as 8045 Secreteriat Ln., Las Vegas, NV 89123.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors and Trustee at least five business days' notice of the time, place and date of sale.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Judge ordered that we record a new Notice of Default so that they can participate on AB 149 Mediation.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby withdraws its secured Proof of Claim filed in this matter.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Submitted by:

## WILDE & ASSOCIATES

**GREGORY L. WILDE, ESQ.**  
Attorney for Secured Creditor

**APPROVED / DISAPPROVED**

Thomas E. Crowe  
7381 W. Charleston Blvd. #110  
Las Vegas, NV 89117  
Attorney for Debtor(s)

APPROVED / DISAPPROVED

Rick A. Yarnall  
701 Bridger Avenue #820  
Las Vegas, NV 89101  
Chapter 13 Trustee

1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3  The court waived the requirements of LR 9021.

4  No parties appeared or filed written objections, and there is no trustee appointed in the case.

5  I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any  
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,  
and each has approved or disapproved the order, or failed to respond, as indicated below  
(list each party and whether the party has approved, disapproved, or failed to respond to the  
document):

7 (List Parties)

8 Debtor's counsel:

9  approved the form of this order  disapproved the form of this order

10  waived the right to review the order and/or  failed to respond to the document

11  appeared at the hearing, waived the right to review the order

12  matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14  approved the form of this order  disapproved the form of this order

15  waived the right to review the order and/or  failed to respond to the document

16 Other Party: \_\_\_\_\_

17  approved the form of this order  disapproved the form of this order

18  waived the right to review the order and/or  failed to respond to the document

19 Breach Order:

20  This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of

21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which

22 they have not replied

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

26 Gregory L. Wilde, Esq.

Attorney for Secured Creditor